

## REMARKS

### **I. Status of the Claims**

Claims 1-105 were filed with the application. Claims 18-23, 35-60, and 71-105 have been canceled. Thus, claims 1-17, 24-34, and 61-69 are under consideration, have been examined, and stand rejected under 35 U.S.C. §102(a) and §102(e). The specific grounds for rejection of these claims, and applicants' response thereto, are set out in detail below.

### **II. Rejections Under 35 U.S.C. §102**

The examiner has rejected claims 1-6, 24-34, and 61-69 under §102(a) and §102(e), as anticipated by Isogai *et al.* (a DNA sequence filed with NCBI on July 14, 2002 and a patent application with a priority date in Japan of November 5, 2001 filed in the U.S. on March 25, 2002). In response, applicants submit a declaration under 37 C.F.R. §1.131 which removes these references by establishing that the inventors had obtained the complete human STARS sequence prior to November 5, 2001.

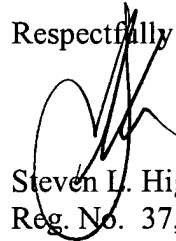
The declaration submitted is unsigned by inventor Akiko Arai. Dr. Arai passed away in January of 2005 as disclosed in the previously filed Declaration of David H. Poticha. Dr. Arai assigned all rights, title and interest to her invention to the University of Texas Southwestern in Dallas, TX prior to her death.

In light of this submission, applicants respectfully request reconsideration and withdrawal of the rejection is therefore respectfully requested.

### **III. Conclusion**

In light of the foregoing, applicants respectfully submit that all claims are in condition for allowance, and an early notification to this effect is earnestly solicited. Should the examiner have any questions regarding this response, a telephone call to the undersigned attorney at (512) 536-3184 is invited.

Respectfully submitted,



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